

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

Case No. 7:23-CV-01348-M

ROBERT PAUL SHARPE,

Plaintiff,

v.

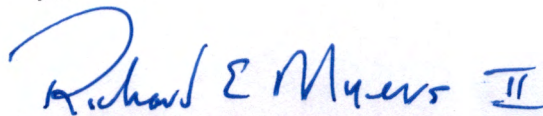
PETER J. SPARK, MARK LEON
EASTHAM, DANIEL MATTHEW
SHOAF,

Defendants.

ORDER

This matter comes before the court on Plaintiff's motion requesting clarification regarding standing [DE 35]. Plaintiff is correct that a litigant may pursue a retaliation claim pro se under 31 U.S.C. § 3730(h). That would not alter the court's conclusion that (1) such a claim was not raised in the Complaint, and that (2) to the extent a retaliation claim was raised, it would be related to the PCCS bankruptcy, warranting referral to the Bankruptcy Court. The court further notes that retaliation claims must be pursued against an individual's employer, because "there is no textual basis in § 3730(h), as amended, for allowing plaintiffs to sue individual employees of a corporate employer." *Irving v. PAE Gov't Servs., Inc.*, 249 F. Supp. 3d 826, 831 (E.D. Va. 2017); *accord Howell v. Town of Ball*, 827 F.3d 515, 530 (5th Cir. 2016); *Simmons v. Boys & Girls Club of the Pikes Peak Region*, No. 16-CV-01461, 2017 WL 4337931, at *3 (D. Colo. Sept. 29, 2017).

SO ORDERED this 4th day of May, 2024.



RICHARD E. MYERS II
CHIEF UNITED STATES DISTRICT JUDGE